

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 22-CR-20104-JEM

UNITED STATES OF AMERICA

vs.

MARIO ANTONIO PALACIOS PALACIOS,

Defendant.

**MOTION TO DESIGNATE A CLASSIFIED INFORMATION SECURITY OFFICER
PURSUANT TO SECTION 9 OF THE
CLASSIFIED INFORMATION PROCEDURES ACT**

The United States of America respectfully requests that the Court designate a Classified Information Security Officer (“CISO”),¹ pursuant to Section 9 of the Classified Information Procedures Act, 18 U.S.C. App. III (“CIPA”) (stating “the Chief Justice of the United States, in consultation with the Attorney General, the Director of National Intelligence, and the Secretary of Defense, shall prescribe rules establishing procedures for the protection against unauthorized disclosure of any classified information in the custody of the United States district courts . . .”). *See also* Section 2 of the Security Procedures established pursuant to Pub. L. 96-456, 94 Stat. 2025, by the Chief Justice of the United States (stating “[i]n any criminal case . . . in which classified information is within, or is reasonably expected to be within, the custody of the court, the court will designate a ‘classified information security officer.’”). In support of its application, the United

¹ In the original Security Procedures promulgated by Chief Justice Burger, the title of the position was Court Security Officer. In the revised Security Procedures promulgated by Chief Justice Roberts, the position is now known as Classified Information Security Officer.

States provides the following:

1. This is a criminal matter in which the grand jury returned an indictment charging the defendant with violating Title 18, U.S.C., Section 2339A(a) (Providing Material Support or Resources to Carry Out a Violation Resulting in Death), and Title 18, U.S.C., Section 965(a)(1) (Conspiracy to Kill or Kidnap Outside of the United States).

2. The United States anticipates the need to file a motion for a protective order, *ex parte*, *in camera*, and under seal, pursuant to Section 4 of CIPA. That *ex parte*, *in camera*, under seal motion would refer, relate, or otherwise involve classified information.

3. For that reason, the United States seeks the appointment of a CISO to assist the Court with matters involving classified information. The CISO would be detailed to the Court and serve in a neutral capacity. *See* Pub. L. 96-456, 94 Stat. 2025, § 2 (the Security Procedures established by Chief Justice Roberts). The CISO would be “responsible to the court for the security of all classified information in the court’s custody, including . . . any pleadings or other filings created in connection with the proceedings, and any form of information contained in any format” *Id.* The CISO also would be responsible for “any matters relating to personnel, information, or communications security” *Id.* To that end, the government anticipates that the CISO will assist the Court in obtaining the necessary security clearances for court personnel, handling and reviewing any classified information submitted by the government to the Court, and preparing proper classification markings on any orders issued by the Court.

4. The United States respectfully requests that the Court designate Carli V. Rodriguez-Feo as the CISO for this case. Carli V. Rodriguez-Feo is employed by the Department of Justice, Litigation Security Group. The United States further respectfully requests that the Court designate the following persons to serve as Alternate CISOs in the event Carli V. Rodriguez-Feo is not

available: Daniel O. Hartenstine, Daniella M. Medel, Matthew W. Mullery, Harry J. Rucker, and Winfield S. Slade. *Id.* (stating the Court “may designate, as required, one or more alternate classified information security officers”). These individuals also are employed with the Department of Justice, Litigation Security Group.

5. The Security Procedures provide that the Department of Justice is responsible for all costs associated with the appointment of the CISO:

All expenses of the United States Government that arise in connection with the implementation of these procedures, including any construction or equipment costs, will be borne by the Department of Justice and other appropriate Executive Branch agencies whose classified information is being protected.

Id.

Respectfully submitted,

JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I filed the foregoing document with the Clerk of the Court using CM/ECF, and served a copy to defense counsel by ECF and email, on or about April 19, 2022.

/s/ Walter Norkin
Assistant United States Attorney

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_____ /

**ORDER DESIGNATING CLASSIFIED
INFORMATION SECURITY OFFICER**

The United States of America, having applied for the appointment of a Classified Information Security Officer and alternates pursuant to Section 9 of the Classified Information Procedures Act, 18 U.S.C. App. III (“CIPA”), and Section 2 of the Security Procedures established pursuant to Pub. L. 96-456, 94 Stat. 2025, by the Chief Justice of the United States Supreme Court, it is hereby ORDERED AND DECREED that the application is GRANTED.

It is further ORDERED, in accordance with Section 9 of CIPA and the Security Procedures established pursuant to Pub. L. 96-456, 94 Stat. 2025, that the Court designates Carli V. Rodriguez-Feo as the Classified Information Security Officer in this case.

It is further ORDERED that the Court designates the following persons as Alternate Classified Information Security Officers, to serve in the event that Carli V. Rodriguez-Feo is not available: Daniel O. Hartenstine, Daniella M. Medel, Matthew W. Mullery, Harry J. Rucker, and Winfield S. Slade.

It is further ORDERED that the designated Classified Information Security Officer and alternates shall perform the functions and carry out the duties and responsibilities prescribed in the Security Procedures promulgated under Section 9 of CIPA.

Signed, this ____ day of April, 2022

THE HON. JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF FLORIDA